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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92045849
Party	Plaintiff Primepay, Inc.
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Submission	Response to Board Order/Inquiry
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Attachments	2009-09-14 Petitioner's Response to Board Order of September 15, 2010.pdf (1 page)(8101 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

PRIMEPAY, INC.,

Petitioner,

vs.

PRIMEPOINT, LLC,

Respondent.

Cancellation No. 92045849

PETITIONER'S RESPONSE TO BOARD ORDER OF SEPTEMBER 15, 2010

In response to the Board's request for the status of the civil action that occasioned the suspension of this proceeding, Petitioner advises that its appeal, as Appellant, to the Third District Court of Appeal still remains pending. On September 23, 2010, the parties made oral argument to the Court. A decision has not yet been issued on the appeal. Accordingly, and pending disposition of the appeal, continuation of the suspension in this proceeding is requested.

Respectfully submitted,

Mark Lebow

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October 12, 2010

CERTIFICATE OF SERVICE

I hereby certify the foregoing Petitioner's Response In Opposition To Respondent's Motion For Suspension In View of Civil Proceedings was sent by first class mail, postage prepaid, to Jordan LaVine, Esq., Attorney for Petitioner, Flaster Greenberg P.C., 1628 John F. Kennedy Blvd., Suite 1500, Philadelphia, PA 19103 this 12th day of October 2010.

/Kristina Spencer/

Kristina Spencer